IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANDREW ENGEL, on behalf of himself an	d all)	
others similarly situated,)	Case No. 1:23-cv-00244-SPB
)	
Plaintiff,)	
)	
v.)	
)	
GANNON UNIVERSITY,)	
)	
Defendant.)	
)	
)	

PLAINTIFF'S UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

PLEASE TAKE NOTICE THAT, upon the Declaration of Nicholas A. Colella, sworn to on June 11, 2024, and the accompanying exhibits and memorandum of law, and upon all prior proceedings, pleadings, and filings in the above-captioned action, Named Plaintiff Andrew Engel will move this Court on June 21, 2024, at 10:00am in the United States District Court for the Western District of Pennsylvania, U.S. Courthouse, Courtroom A, 17 South Park Row, Erie, PA 16501, before the Honorable Susan Paradise Baxter of the United States District Court for the Western District of Pennsylvania, for an Order under Federal Rule of Civil Procedure 23: (1) finally certifying, for purposes of the Settlement only, the following Settlement Class:

All graduate and undergraduate students enrolled at Gannon who paid tuition and/or the mandatory fees to attend in-person class(es) during the Spring 2020 semester at Gannon but had their class(es) moved to online learning, with the exception of: (i) any person who withdrew from Gannon on or before March 16, 2020; (ii) any person enrolled solely in classes or program for the Spring 2020 semester that was originally delivered as an online program without regard to any changes in modality resulting from the COVID-19 pandemic; (iii) any person who properly executes and files a timely opt-out request to be excluded from the Settlement Class; and (iv) the legal representatives, successors or assigns of any such excluded person.

(2) confirming that the notice plan approved by the Court in its February 8, 2024 Preliminary Approval Order has been fully and sufficiently executed; (3) finally appointing Named Plaintiff Andrew Engel as Settlement Class Representative; (4) finally appointing Nicholas A. Colella of Lynch Carpenter, LLP and Anthony M. Alesandro of Leeds Brown Law, P.C. to act on behalf of the Settlement Class and the Settlement Class Representative with respect to the Settlement; (5) entering the proposed final judgment; and (6) granting such other and further relief as may be just and appropriate.

Dated: June 11, 2024 Respectfully submitted,

/s/ Nicholas A. Colella

Nicholas A. Colella (PA ID No. 332699)

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